UNITED STATES DISTRICT COURT FOR THE DISTRICT OF VERMONT

Stephen Bain, :

Plaintiff,

:

v. : File No. 2:06 CV 217

:

Dr. Paul Cotton, et al., :
Defendants. :

ORDER

The Report and Recommendation of the United States

Magistrate Judge was filed July 13, 2007. After careful review

of the file and the Magistrate Judge's Report and

Recommendation, no objections having been filed by any party,

this Court ADOPTS the Magistrate Judge's recommendations in

full for the reasons stated in the Report.

The plaintiff's motion for default judgment (Paper 5) and Cotton's motion to dismiss (Paper 19) are DENIED. The motion submitted by defendants Matrix Health Systems, P.C. and Otter Creek Associates, Inc. to amend their answer (Paper 10) is GRANTED.

Dated at Burlington, in the District of Vermont, this 31st day of July, 2007.

/s/ William K. Sessions III William K. Sessions III Chief Judge